



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/781,122

02/17/2004

Ganesh Basawapatna

119691-163492

1976

60172

7590

05/12/2009

SCHWABE, WILLIAMSON & WYATT, P.C.  
1420 FIFTH, SUITE 3010  
SEATTLE, WA 98101

EXAMINER

HOSSAIN, FARZANA E

ART UNIT

PAPER NUMBER

2424

MAIL DATE

DELIVERY MODE

05/12/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/781,122	<b>Applicant(s)</b> BASAWAPATNA ET AL.	
	<b>Examiner</b> FARZANA HOSSAIN	<b>Art Unit</b> 2424	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-25,28-30,34-37 and 41-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-25,28-30,34-37 and 41-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/25/2009 has been entered.

### ***Response to Amendment***

2. This office is in response to communications filed on 02/25/2009. Claims 1-20, 26, 27, 31-33, 38-40 are cancelled. Claims 21-25, 28-30, 34-37 and 41-48 are amended.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

The applicants argue that cited prior art does not disclose a multiplexer in the interface unit.

Stoel and Kitamura do not disclose the multiplexer in the interface unit. The examiner would also like to note that the multiplexer as described in the applicant's specification separates the video channels and data (Page 29, lines 27-28, published applications paragraph 0107).

### ***Claim Objections***

4. Claims 44 and 46 are objected to because of the following informalities:
  - a. Claim 44 has been amended to depend from Claim 21. Claim 21 discloses the headend is located at a location remote from the building and that the headend provides to *the* local headend. Note: there is no local headend in Claim 21.

Also, the applicant's specification is unclear whether the headend is remote from the buildings. The specification discloses that the headend receives signals from the master headend (published application paragraph 0022).

Therefore, the master headend is remote from the buildings and sends signals to the headend of Claim 21. The examiner finds the limitations confusing in view of the specification. The examiner requests the applicant provide support from the specification to clarify the claim limitations.

Appropriate correction is required.

- b. Claim 46 requires that the headend is remote from a building or set of buildings including the customer locations. The applicant's specification is

unclear whether the headend is remote from the buildings. The specification discloses that the headend receives signals from the master headend (published application paragraph 0022). The examiner requests the applicant provide support from the specification to clarify the claim limitations.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 21, 22, 24, 28-30, 34, 35 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoel et al (US 5,905,942 and hereafter referred to as "Stoel") in view of Kitamura et al (US 6,188,871 and hereafter referred to as "Kitamura") and Zdepski et al (US 6,606,746 and hereafter referred to as "Zdepski").

Regarding Claim 21, Stoel discloses a cable distribution system (Figure 1, 10), comprising:

a headend receptive of signals from a plurality of video sources (Figure 1, 12, Figure 3A, 86, 92), selected ones of the signals being multiplexed together to create one or more multiplexed channel signals (Figure 3B, 96, Column 11, lines 6-13);

a plurality of service modules associated with the headend (Figure 1, 28), each service module receiving one or more of the multiplexed channel signals (Figure 1, 28, Column 2, lines 53-56).

It is necessarily included that Stoel discloses at least one receiver/de-interdictor within each service module (Figure 1, 28) as the service module receives signals from the headend and the service module or interdiction field unit receives and de-interdicts signals. Therefore, Stoel discloses a receiver/de-interdictor or receiver/decoder configured to receive the one more signals, to select one or more video channels, not all, of the selected ones of the signals from one or more of the multiplexed channel signals as video channels (Column 2, lines 53-64, Column 5, lines 8-16) and

provide the video channel that is determined by the headend via control signals sent to the interdiction field unit or service module, each video channel received/decoded or de-interdicted by the given service module or interdiction field unit being sent to the interface unit (Column 4, lines 45-55, Column 5, lines 10-20), the interface unit (Figure 1, 18) located at a customer location, each interface unit receptive of the video channel (Figure 1, 18, Column 1, lines 64-67, Column 2, lines 1-23, Figure 2, 44).

Stoel is silent on the service module providing one or more receiver/decoders within each service module the video channel to a multiplexer in an interface unit wherein each video channel in the subset of video channels is provided at an output frequency unrelated to the conventional cable frequency normally associated with the

Art Unit: 2424

selected video channel and one or more receiver/decoder to provide the video channels.

In analogous art, Kitamura discloses a plurality of service modules associated with the headend (Figure 3, 104, Column 1, lines 35-47), with a plurality of customers (Figure 3, Subscribers 1, 2, M) and each service module associated each service module receiving one or more of the multiplexed channel signals (Column 7, lines 16-34, Figure 3); one or more receiver/decoders within each service module (Figure 1, 105), the one or more receiver/decoders configured to receive the one or more multiplexed channel signals (Column 7, lines 5-34, Figure 3), wherein each receiver/decoder is configured to select one or more, but not all, of the selected ones of the signals from one or more of the multiplexed channel signals as video channels (Column 7, lines 5-16), further configured to provide the video channels to an interface unit located at a customer location, the interface unit corresponding to the receiver/decoder that received/decoded the video channels (Column 7, lines 5-34, Figure 3, 117, Receiver), wherein each video channel in the subset of video channels is provided at an output frequency unrelated to the conventional cable frequency normally associated with the selected video channel (Column 2, lines 22-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Stoel with providing one or more receiver/decoders within each service module (Figure 1, 105) video channels (Column 7, lines 5-34, Figure 3, 117, Receiver), wherein each video channel in the subset of video channels is provided at an output frequency unrelated to the conventional cable

Art Unit: 2424

frequency normally associated with the selected video channel (Column 2, lines 22-47) as taught by Kitamura in order to provide a system which allows a subscriber in a home to enjoy CATV on two different TV sets installed in different rooms (Column 1, lines 56-64) as disclosed by Kitamura.

In analogous art, Zdepski discloses providing video channels to a multiplexer or demultiplexer in an interface unit (Figure 3A, 302, Column 7, lines 22-35). Therefore, it would have been obvious to one of ordinary skill in the art to modify the combination providing video channels to a multiplexer in the interface unit (Figure 3A, 302, Column 7, lines 22-35) as taught by Zdepski in order to allow a user to have an interactive return path to interact with content to such as purchasing the product (Column 1, lines 22-28) as disclosed by Zdepski.

Regarding Claim 22, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 21. Stoel discloses that a plurality of interface units, wherein one or more of the plurality of interface units are each separately connected to one of the plurality of service modules (Figure 1, 16). Kitamura discloses that a plurality of interface units, wherein one or more of the plurality of interface units are each separately connected to one of the plurality of service modules (Figure 3, Figure 13).

Regarding Claim 24, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 21. Stoel discloses a headend is a local headend located in a building or set of buildings where the customer locations are (Figure 1, 12).

Regarding Claim 28, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 21. Kitamura discloses that service modules include frequency converters



(Figure 3) and that the service module distributes frequencies to subscribers lines in the service module or regional common block (Figure 11), the service module includes a frequency converter to determine signals to a predetermined frequency (Column 2, lines 35-45), and each interface unit does not include a frequency converter (Figure 12).

Regarding Claim 29, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 21. Kitamura discloses that each service module is configured to utilize the same predetermined frequencies as each other service module as the service modules or regional common blocks can be connected in parallel so that a subscriber belonging to one service module can be accepted by another service module so that a subscriber can provide the user with the requested service based on a predetermined frequencies (Column 11, lines 15-54).

Regarding Claim 30, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 21. Stoel discloses each interface unit is configured to pass information back upstream to its associated service module that includes channel selection information for interactive sessions including (Column 3, lines 45-55, Column 4, lines 46-67, Column 5, lines 1-26).

Regarding Claim 34, Stoel discloses a cable distribution system (Figure 1, 10), comprising:

a headend receptive of signals from a plurality of video sources (Figure 1, 12, Figure 3A, 86, 92), selected ones of the signals being multiplexed together to create one or more multiplexed channel signals (Figure 3B, 96, Column 11, lines 6-13);

a plurality of service modules associated with the headend (Figure 1, 28), each service module with a plurality of customers (Figure 1, 18A, 18C) and configured to receive one or more of the multiplexed channel signals (Figure 1, 28, Column 2, lines 53-56).

It is necessarily included that Stoel discloses at least one receiver/de-interdicator within each service module (Figure 1, 28) as the service module receives signals from the headend and the service module or interdiction field unit receives and de-interdicts signals. Therefore, Stoel discloses a receiver/de-interdicator or receiver/decoder configured to receive the one more signals, to select one or more video channels, not all, of the selected ones of the signals from one or more of the multiplexed channel signals as video channels (Column 2, lines 53-64, Column 5, lines 8-16) and

provide the video channel that is determined by the headend via control signals sent to the interdiction field unit or service module, each video channel received/decoded or de-interdicted by the given service module or interdiction field unit being sent to the interface unit (Column 4, lines 45-55, Column 5, lines 10-20), the interface unit (Figure 1, 18) located at a customer location, each interface unit receptive of the video channel (Figure 1, 18, Column 1, lines 64-67, Column 2, lines 1-23, Figure 2, 44).

Stoel is silent on the service module providing one or more receiver/decoders within each service module the video channel to a multiplexer in an interface unit wherein each video channel in the subset of video channels is provided at a predetermined output frequency unrelated to the conventional cable frequency normally

Art Unit: 2424

associated with the selected video channel; wherein the predetermined output frequencies of other receiver/decoders in any one service module; combined with other video channels of any one service module into a single signal.

In analogous art, Kitamura discloses a plurality of service modules associated with the headend (Figure 3, 104, Column 1, lines 35-47), with a plurality of customers (Figure 3, Subscribers 1, 2, M) and each service module associated each service module receiving one or more of the multiplexed channel signals (Column 7, lines 16-34, Figure 3); one or more receiver/decoders within each service module (Figure 1, 105), the one or more receiver/decoders configured to receive the one or more multiplexed channel signals (Column 7, lines 5-34, Figure 3), wherein each receiver/decoder is configured to select one or more, but not all, of the selected ones of the signals from one or more of the multiplexed channel signals as video channels (Column 7, lines 5-16), further configured to provide the video channels to an interface unit located at a customer location, the interface unit corresponding to the receiver/decoder that received/decoded the video channels (Column 7, lines 5-34, Figure 3, 117, Receiver),

wherein each video channel is provided at is provided at a predetermined output frequency unrelated to the conventional cable frequency normally associated with the selected video channel (Figure 11, Column 1, lines 65-67, Column 2, lines 1-7, 22-47), wherein the predetermined output frequency of each receiver/decoder in a given service module being different from each other (Figure 11, Column 1, lines 65-67, Column 2,

Art Unit: 2424

lines 1-7, 22-47); combined with other video channels of any service module into a single signal (Figure 2, Figure 3, 117, Column 10, lines 30-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Stoel with providing one or more receiver/decoders within each service module (Figure 1, 105) video channels (Column 7, lines 5-34, Figure 3, 117, Receiver), wherein each video channel is provided at is provided at a predetermined output frequency unrelated to the conventional cable frequency normally associated with the selected video channel (Figure 11, Column 1, lines 65-67, Column 2, lines 1-7, 22-47), wherein the predetermined output frequency of each receiver/decoder in a given service module being different from each other (Figure 11, Column 1, lines 65-67, Column 2, lines 1-7, 22-47); combined with other video channels of any service module into a single signal (Figure 2, Figure 3, 117, Column 10, lines 30-40) as taught by Kitamura in order to provide a system which allows a subscriber in a home to enjoy CATV on two different TV sets installed in different rooms (Column 1, lines 56-64) as disclosed by Kitamura.

In analogous art, Zdepski discloses providing video channels to a multiplexer or demultiplexer in an interface unit (Figure 3A, 302, Column 7, lines 22-35). Therefore, it would have been obvious to one of ordinary skill in the art to modify the combination providing video channels to a multiplexer in the interface unit (Figure 3A, 302, Column 7, lines 22-35) as taught by Zdepski in order to allow a user to have an interactive return path to interact with content such as purchasing the product (Column 1, lines 22-28) as disclosed by Zdepski.

Regarding Claim 35, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 34. Stoel discloses a headend is a local headend located in a building or set of buildings where the customer locations are (Figure 1, 12).

Regarding Claim 41, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 34. Kitamura discloses that service modules include frequency converters (Figure 3) and that the service module distributes frequencies to subscribers lines in the service module or regional common block (Figure 11), the service module includes a frequency converter to determine signals to a predetermined frequency (Column 2, lines 35-45), and each interface unit does not include a frequency converter (Figure 12).

Regarding Claim 42, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 34. Kitamura discloses that each service module is configured to utilize the same predetermined frequencies as each other service module as the service modules or regional common blocks can be connected in parallel so that a subscriber belonging to one service module can be accepted by another service module so that a subscriber can provide the user with the requested service based on a predetermined frequency of one of plural vacant channel (Column 11, lines 15-54).

Regarding Claim 43, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 34. Stoel discloses each interface unit is configured to pass information back upstream to its associated service module that includes channel selection information for interactive sessions including (Column 3, lines 45-55, Column 4, lines 46-67, Column 5, lines 1-26).

7. Claims 23 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoel in view of Kitamura and Zdepski as applied to claims 21 and 35 above, and further in view of Farber et al (US 6,486,907 and hereafter referred to as "Farber").

Regarding Claim 23, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 21. Kitamura discloses that the selected output frequency of each receiver/decoder in a given service module is different from each (Figure 11, Column 1, lines 65-67, Column 2, lines 1-7, 22-47), each of the video channels received/decoded by a given service module being combined together into a single signal and further wherein each interface unit is receptive of the single signal and from the service module (Figure 11, Column 1, lines 65-67, Column 2, lines 1-7, 22-47), the interface unit providing only a selected one of the video channels in the single signal to the video displaying apparatus (Figure 2, Figure 3, 117, Column 10, lines 30-40). Stoel, Kitamura and Zdepski are silent on interface units arranged in a loop through relationship with respect to their respective service modules. Farber discloses interface units are arranged in a loop through relationship with respect to their service modules (Figure 1, Figure 2, 46, 54, and 58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include interface units are arranged in a loop through relationship with respect to their service modules (Figure 1, Figure 2, 46, 54, 58) as taught by Farber in order to improve of the performance of distribution of satellite signals in an apartment building outputting in a single cable (Column 1, lines 32-44, 66-67, Column 2, lines 1-9) as disclosed by Farber.

Regarding Claim 37, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 35. Stoel discloses that service modules are dispersed throughout the building or set of buildings (Figure 1, 28, 18A-D). Stoel, Kitamura and Zdepski are silent on at least one service module for each floor of the building or set of buildings. Farber discloses at least one service module located at differing locations throughout each floor of the building or set of buildings (Figure 2, 46, 54). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include at least one service module for each floor of the building or set of buildings (Figure 2, 46, 54) as taught by Farber in order to improve of the performance of distribution of satellite signals in an apartment building outputting in a single cable (Column 1, lines 32-44, 66-67, Column 2, lines 1-9) as disclosed by Farber.

8. Claims 25, 36 and 44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoel in view of Kitamura as applied to claims 24, 31 and 35 above, and further in view of Hoarty et al (US 2005/0114906 and hereafter referred to as "Hoarty").

Regarding Claims 25 and 36, Stoel and Kitamura disclose all the limitations of Claims 24 and 35 respectively. Stoel discloses that the headend is a local headend located in a building or set of buildings where the customer locations are (Figure 1, 12). Stoel and Kitamura are silent on master headend that is remote from the building or the set of buildings, the regional headend providing video channels at selected frequencies to the local headend. Hoarty discloses a local headend (Figure 1, 11) and master

Art Unit: 2424

headend remote from the local headend (Figure 1, 15), the regional headend providing video channels at selected frequencies to the local headend (Figure 1, Page 3, paragraph 0046, Page 8, paragraphs 0054, 0057). It is necessarily included that if the master headend is remote from the local headend, it remote from the building or set of buildings. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include master headend remote from the local headend (Figure 1, 15), the master headend providing video channels at selected frequencies to the local headend (Figure 1, Page 3, paragraph 0046, Page 8, paragraphs 0054, 0057) as taught by Hoarty in order to provide an improved system to handle switching and computing demands to provide separate and private information services simultaneously (Page 1, paragraph 0006, Page 3, paragraph 0046) as disclosed by Hoarty.

Regarding Claim 44, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 21. Stoel discloses that the local headend located in a building or set of buildings where the customer locations are (Figure 1, 12) which receives signals from different locations (Column 2, lines 3-14). Stoel, Kitamura and Zdepski are silent on headend that is remote from the building or the set of buildings, the headend configured to provide video channels at selected frequencies to the local headend. Hoarty discloses the headend or second headend providing video channels at selected frequencies to the local headend (Figure 1, Page 3, paragraph 0046, Page 8, paragraphs 0054, 0057). It is necessarily included that if the headend is remote from the local headend, it is remote from the building or set of buildings. Therefore, it would have been obvious to



Art Unit: 2424

one of ordinary skill in the art at the time the invention was made to modify the combination to include a headend or second headend remote from the local headend (Figure 1, 15), the headend or second headend providing video channels at selected frequencies to the local headend (Figure 1, Page 3, paragraph 0046, Page 8, paragraphs 0054, 0057) as taught by Hoarty in order to provide an improved system to handle switching and computing demands to provide separate and private information services simultaneously (Page 1, paragraph 0006, Page 3, paragraph 0046) as disclosed by Hoarty.

Regarding Claims 45 and 47, Stoel, Kitamura and Zdepski disclose all the limitations of Claims 24 and 34 respectively. Stoel discloses that the headend is a local headend located in a building or set of buildings where the customer locations are (Figure 1, 12). Stoel and Kitamura are silent on headend that is remote from the building or the set of buildings, the second headend providing video channels at selected frequencies to a local headend. Hoarty discloses a local headend (Figure 1, 11) and a second headend or master headend remote from the local headend (Figure 1, 15), the headend or second headend providing video channels at selected frequencies to the local headend (Figure 1, Page 3, paragraph 0046, Page 8, paragraphs 0054, 0057). It is necessarily included that if the master headend is remote from the local headend, it remote from the building or set of buildings. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include a headend or second headend or master headend remote from the local headend (Figure 1, 15), the headend or second headend providing video

Art Unit: 2424

channels at selected frequencies to the local headend (Figure 1, Page 3, paragraph 0046, Page 8, paragraphs 0054, 0057) as taught by Hoarty in order to provide an improved system to handle switching and computing demands to provide separate and private information services simultaneously (Page 1, paragraph 0006, Page 3, paragraph 0046) as disclosed by Hoarty.

Regarding Claim 46, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 34. Stoel discloses the headend (Figure 1, 12). Stoel and Kitamura are silent on headend that is remote from the building or the set of buildings including the customer locations. Hoarty discloses the headend remote (Figure 1, 15), the headend or second headend providing video channels at selected frequencies to the local headend (Figure 1, Page 3, paragraph 0046, Page 8, paragraphs 0054, 0057). It is necessarily included that if the master headend is remote from the local headend, it remote from the building or set of buildings including the customer locations. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include headend that is remote from the building or the set of buildings including the customer locations (Figure 1, 15) as taught by Hoarty in order to provide an improved system to handle switching and computing demands to provide separate and private information services simultaneously (Page 1, paragraph 0006, Page 3, paragraph 0046) as disclosed by Hoarty.

Art Unit: 2424

9. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stoel in view of Kitamura and Zdepski as applied to claims 34 above, and further in view of Granger (US 5,483,277).

Regarding Claim 48, Stoel, Kitamura and Zdepski disclose all the limitations of Claim 34. Stoel, Kitamura and Zdepski are silent on including a separate fixed frequency bandpass filter located at each customer location for each interface unit, the bandpass filter substantially preventing video channels other than the selected video channel associated with that interface unit to pass through to the interface unit.

Granger discloses a separate fixed frequency bandpass filter located at each customer location for each interface unit, the bandpass filter substantially preventing video channels other than the selected video channel associated with that interface unit to pass through to the interface unit (Column 6, lines 42-56, Column 7, lines 43-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include a separate fixed frequency bandpass filter located at each customer location for each interface unit, the bandpass filter substantially preventing video channels other than the selected video channel associated with that interface unit to pass through to the interface unit (Column 6, lines 42-56, Column 7, lines 43-55) as taught by Granger in order to be connect to only requested TV channels and a VCR channel (Column 1, lines 53-67, Column 2, lines 1-10) as disclosed by Granger.

### ***Conclusion***

Art Unit: 2424

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARZANA HOSSAIN whose telephone number is (571)272-5943. The examiner can normally be reached on Monday 7:30 am to 2:30 pm, Tuesday, Thursday and Friday 7:30 am to 4:30 pm and Wednesday 7:30 am to 12:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/FARZANA HOSSAIN/  
Examiner, Art Unit 2424

May 10, 2009